



**KENYAELECTRICITYGENERATING COMPANYLIMITED**

**08<sup>th</sup> September 2016**

**TENDER FOR FABRICATION AND INSTALLATION OF GATES AT RAP SITE  
IN OLKARIA: KGN-REG-06-2016**

**Addendum no. 1**

KenGen wishes to make the following changes to the afore-mentioned tender through Addendum 1. Wherever there is a conflict between the provisions of this addendum to tenderers and the provisions of the appendix in the tender document, the provisions of the addendum herein shall prevail

<b>No.</b>	<b>Clarification</b>	<b>KenGen Response</b>
1.	Eligibility of tenderers	The Tender is exclusively reserved for the Special Groups (Youth ,Women and Persons with disabilities )
2	Tender security	<p>No tender securities shall be required from small and micro enterprises or enterprises owned by disadvantage groups participating in this tender.</p> <p>Notwithstanding paragraph (1), target groups shall be required to complete and sign the <b>Tender Securing Declaration Form</b> as provided below.</p> <p>Any bidder from the target group who fails to adhere to the terms of the Tender Securing Declaration Form shall be liable to debarment pursuant to section 115 of the Act.</p>
3	Extension of tender closure	<p>The tender closing dates has been moved from <del>23<sup>rd</sup> September 2016</del> to <b>29<sup>th</sup> September 2016 at 10.0am.</b></p> <p>Bids will immediately be opened after tender closure in the presence of bidder's representatives who choose to attend at Stima Plaza III</p>
4	Site visit date	<p>The site visit date has been re-scheduled from <del>15<sup>th</sup> September 2016</del> to <b>22<sup>nd</sup> September 2016.</b> The assembly point will be in Project Office Geothermal Complex at 10.00am</p>

5	Evaluation requirements	<p><b>Preliminary /Mandatory Requirements:</b> <i>All these requirements must be met for a bidder to be considered for further evaluation.</i></p> <ul style="list-style-type: none"> <li>a) Duly completed Bill of Quantities, Signed and Stamped with date on every page.</li> <li>b) Duly completed Tender Form, Signed and Stamped with date.</li> <li>c) Copy of valid Tax Compliance Certificate issued by KRA.</li> <li>d) Copy of certificate of Registration / Incorporation.</li> <li>e) Completeness of Tender – submission of the required number of copies, sequential organisation of the bid document, and serialization or pagination of all pages in the tender document.</li> <li>f) Duly filled, signed and completed Mandatory Business Questionnaire as provided.</li> <li>g) Copy of registration of <b>Works Category Contractors</b> in Class <b>NCA 7 and above</b> with the <b>National Construction Authority</b></li> <li>h) Duly and signed tender securing declaration forms.</li> <li>i) Certificate of registration in the target group.</li> <li>j) Evidence of site visit as scheduled.</li> <li>k) Power of attorney (ONLY in cases of joint ventures)</li> </ul> <p><b>Technical Evaluation:</b></p> <p><b>(a) The qualifications and experience of key personnel. - 35 Points</b></p> <ul style="list-style-type: none"> <li>i. The Contractor or the joint venture of contractors shall propose the structure and composition of his team i.e. the main disciplines involved, the key staff member / expert responsible for each discipline, and the proposed technical and support staff. The roles and responsibilities of each key staff member <b>(15 Points)</b></li> <li>ii. A Site Manager with a minimum of Eight (8) years specific experience in works or works of an equivalent nature and volume, with a minimum of an Ordinary Diploma in Civil Engineering or equivalent from a recognized institution. <b>(10 Points)</b></li> <li>iii. Two (2) Site Supervisors each with a minimum of Five (5) years specific experience in works or works of an equivalent nature and volume, with a minimum of Ordinary Diploma in Civil Engineering or equivalent from a recognized institution <b>(10 Points)</b></li> </ul> <p>- (b) Proof of Ownership OR a leasehold/hire agreement with providers/owners OR a joint venture agreement with providers/owners of major items of construction plant and equipment – <b>(20 Points)</b></p> <ul style="list-style-type: none"> <li>-At least Two (2) No. Concrete mixer <b>(4 Points)</b></li> <li>- At least One (1) No. Pick-up vehicle <b>(4 Points)</b></li> <li>- At least Two (2) No. Concrete Vibrators <b>(4 Point)</b></li> <li>- At least One (1) No. Concrete Dumpers <b>(4 Points)</b></li> <li>- Portable/mobile welding machine <b>(4 points)</b></li> </ul>
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6	Performance security	<p>(c) A realistic Program of Works providing specific and achievable milestones with durations <b>(5 Points)</b></p> <p>(d) Method statements for concrete works, fabrication and installation of gates and fence repair works. The method statement should take into account the specific conditions at the site. <b>(10 Points)</b></p> <p>(e) Contractors Health, Safety, Environment and Quality Plan including a Job safety Analysis <b>(10 Points)</b></p> <p>(f) Financial Capacity – <b>(20 Points)</b></p> <p>Evidence of adequate working capital of Kshs. Five Million (Kshs. 5,000,000.00). This shall be demonstrated either by bank statements OR a letter of undertaking for this particular work from a Bank or a Sacco OR a Deposit taking Micro-finance institution OR the Youth or Women enterprise development fund(s) - addressed to KenGen.</p> <p><b>Total Points: 100</b>  <b>The minimum technical score required to pass: 70 Points</b></p> <p><b>Financial Evaluation</b>  The lowest evaluated bidder among those qualified in the technical evaluation will be considered for award.</p> <p>Performance security to be furnished by successful contractor shall be <b>1%</b> of the contract price.</p>
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**7. TENDER SECURING DECLARTAIION FORMS**

[The Bidder shall complete in this Form in accordance with the instructions indicated]

Date: ..... of Bid Submission] Tender No. .... of bidding process]

To: ..... [Insert complete name of Purchaser]

We, the undersigned, declare that:

1. We understand that, according to your conditions, bids must be supported by a Bid-Securing Declaration.
2. We accept that we will automatically be suspended from being eligible for bidding in any contract with the Purchaser for the period of time of THREE YEARS upon approval by the PPRB,if we are in breach of our obligation(s) under the bid conditions, because we –
  - (a) Have withdrawn our Bid during the period of bid validity specified by us in the Bidding Data Sheet; or
  - (b) Having been notified of the acceptance of our Bid by the Purchaser during the period of bid validity,
    - (i) Fail or refuse to execute the Contract, if required, or
    - (ii) Fail or refuse to furnish the Performance Security, in accordance with the ITT.
3. We understand that this Bid Securing Declaration shall expire if we are not the successful Bidder, upon the earlier of
  - (i) our receipt of a copy of your notification of the name of the successful Bidder; or
  - (i) Twenty-eight days after the expiration of our Tender.
4. We understand that if we are a Joint Venture, the Bid Securing Declaration must be in the name of the Joint Venture that submits the bid, and the Joint Venture has not been legally constituted at the time of bidding, the Bid Securing Declaration shall be in the names of all future partners as named in the letter of intent.

Signed: [insert signature of person whose name and capacity are shown] in the

Capacity of [insert legal capacity of person signing the Bid Securing Declaration]

Name: [insert complete name of person signing the Bid Securing Declaration]

.....

Duly authorized to sign the bid for and on behalf of: ..... [Insert complete name of Bidder]

Dated on ..... day of ....., ..... [Insert date of signing]

## **8. MANDATORY CONFIDENTIAL BUSINESS QUESTIONNAIRE**

*(Must be filled by all applicants or Tenderers' who choose to participate in this tender)*

Name of Applicant(s).....

**You are requested to give the particulars in Part 1 and either Part 2 (a), 2 (b) or 2 (c), whichever applies to your type of business. Part 2 (d) to part 2(i/j) must be filled. You are advised that giving wrong or false information on this Form will lead to automatic disqualification/termination of your business proposal at your cost.**

### **Part 1 – General**

Business Name:.....Certificate of Incorporation / Registration No.  
.....Location of business premises:  
Country .....Physical address .....  
Town .....Building .....  
Floor.....Plot No. ....  
Street / Road .....Postal Address .....  
Postal / Country Code.....Telephone No's.....  
Fax No's. ....E-mail address .....  
Website .....  
Contact Person (*Full Names*) ..... Direct / Mobile No's.....  
Title ..... Power of Attorney (**Yes / No**)  
If **Yes**, attach written document.  
Nature of Business (*Indicate whether manufacturer, distributor, etc*) .....

### **(Applicable to Local suppliers only)**

Local Authority Trading License No. .... Expiry Date .....  
Value Added Tax No.....  
Value of the largest single assignment you have undertaken to date (**USD/KShs**)  
.....  
Was this successfully undertaken? **Yes / No**. ....(If **Yes**, attach reference)  
Name (s) of your banker (s)  
.....  
Branches ..... Tel. No's. ....

### **Part 2 (a) – Sole Proprietor (if applicable)**

Full names .....  
Nationality..... Country of Origin.....  
.....  
Company Profile ..... (*Attach brochures or annual reports in case of public company*)

### **Part 2 (b) – Partnerships (if applicable)**

Give details of partners as follows:

#### **Full Names Nationality Citizenship Details Shares**

1. ....  
2. ....  
Company Profile .....(*Attach brochures*)

### **Part 2 (c) – Registered Company (if applicable)**

Private or public .....  
Company Profile .....(*Attach brochures or annual reports in case of public companies*)  
State the nominal and issued capital of the Company  
Nominal KShs .....  
Issued KShs .....  
List of top ten (10) shareholders and distribution of shareholding in the company. Give details of all directors as follows:-

**Full Names Nationality Citizenship Details Shares**

1.....  
2.....

**Part 2 (d) – Debarment**

I/We declare that I/We have not been debarred from any procurement process and shall not engage in any fraudulent, corrupt, coercive and obstructive acts with regard to this or any other tender by the KENGEN and any other public or private institutions.

Full Names .....  
Signature .....  
Dated this ..... day of ..... 2016.  
In the capacity of .....  
Duly authorized to sign Tender for and on behalf of .....

**Part 2 (e) – Bankruptcy / Insolvency / receivership.**

I/We declare that I/We have not been declared bankrupt or insolvent by the competent Authorities in Kenya and neither are we under receivership:

Full Names .....  
Signature .....  
Dated this ..... day of ..... 2016.  
In the capacity of .....  
Duly authorized to sign Tender for and on behalf of .....

**Part 2 (f) – Criminal Offence**

I/We, (Name (s) of Director (s)):-

- a) .....
- b) .....

Have not been convicted of any criminal offence relating to professional conduct or the making of false statements or misrepresentations as to its qualifications to enter into a procurement contract within a period of three (3) years preceding the commencement of procurement proceedings.

Signed .....  
For and on behalf of M/s .....  
In the capacity of .....  
Dated this ..... day of ..... 2016.  
Suppliers' / Company's Official Rubber Stamp .....

**Part 2 (g) – Conflict of Interest**

I/We, the undersigned state that I / We have no conflict of interest in relation to this procurement:

- a) .....
- b) .....

For and on behalf of M/s .....  
In the capacity of .....  
Dated this ..... day of ..... 2016  
Suppliers' / Company's Official Rubber Stamp .....

**Part 2 (h) – Interest in the Firm:**

Is there any person/persons in KENGEN or any other public institution who has interest in the Firm? Yes/No  
..... (Delete as necessary) Institution .....

**(Title) (Signature) (Date)**

**Part 2(i) – Declaration**

I / We, the undersigned state and declare that the above information is correct and that I / We give KENGEN authority to seek any other references concerning my / our company from whatever sources deemed relevant, e.g. Office of the Registrar of Companies, Bankers, etc.

Full names

.....  
Signature.....

For and on behalf of M/s .....

In the capacity of

.....  
Dated this .....day of .....2016.

Suppliers' / Company's Official Rubber Stamp

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**9. All other terms and conditions remain unchanged.**

**ACKNOWLEDGEMENT OF ADDENDUM NO.1**

We, the undersigned hereby certify that the addendum is an integral part of the document and the alterations set out in the Addendum have been incorporated in the tender proposal.

Signed.....

Tenderer.....Date.....